

**THE ATTACHED
AMENDMENTS
ARE TO BILLS
THAT WILL
BE
HEARD ON
HOUSE REGULAR
CALENDAR
TODAY
WEDNESDAY
APRIL 10, 2019**

House Finance, Ways, and Means Committee 1

Amendment No. 1 to HB1271

**Lynn
Signature of Sponsor**

AMEND Senate Bill No. 713*

House Bill No. 1271

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-207, is amended by deleting subdivision (a)(5) and substituting instead the following:

(5) Trailers used to transport livestock, as defined in § 44-18-101, farm products, nursery stock, or equipment, supplies, or products used in agriculture, as those terms are defined in § 43-1-113, or for other agricultural purposes relating to the operation and maintenance of a farm;

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

Amendment No. 1 to HB1265

Hill T
Signature of Sponsor

AMEND Senate Bill No. 513*

House Bill No. 1265

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-731, is amended by adding the following as a new subsection:

(d) Notwithstanding any law to the contrary, the department shall execute a separate agreement in conjunction with any capital grant contract awarded pursuant to chapter 15 of this title, for economic development purposes. The separate agreement must reserve the right of the department to recover the amount of grants, funds, or other incentives disbursed by the department of finance and administration pursuant to the grant contract, in whole or in part, if the person or entity benefitting from the grants, funds, or other incentives fails to fulfill the commitments made by the person or entity to the department of economic and community development.

SECTION 2. Tennessee Code Annotated, Section 67-4-2109, is amended by deleting subdivisions (b)(3)(B), (b)(3)(I), and (g)(9)(i).

SECTION 3. Tennessee Code Annotated, Section 67-6-224, is amended by deleting subsection (e).

SECTION 4. This act shall take effect July 1, 2019, the public welfare requiring it. Section 1 shall apply to applicable capital grant contracts for economic development purposes executed on or after that date, the public welfare requiring it. Sections 2 and 3 shall apply to tax years beginning on or after January 1, 2019, the public welfare requiring it.

Amendment No. 1 to HB1303

Keisling
Signature of Sponsor

AMEND Senate Bill No. 1061*

House Bill No. 1303

by deleting from Sections 1 and 2 the language "incarcerated individuals" wherever it may appear and substituting instead the language "eligible incarcerated individuals".

Amendment No. 1 to HB1233

Keisling
Signature of Sponsor

AMEND Senate Bill No. 1235

House Bill No. 1233*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 3-7-107, is amended by deleting the section in its entirety and substituting instead the following:

(a) The speaker of the senate and the speaker of the house of representatives shall appoint an executive director of the fiscal review committee and other such personnel as the speakers determine is necessary for the efficient operation of the fiscal review committee.

(b) The executive director must be a graduate of an accredited college or university and have five (5) or more years of experience in the field of professional financial management, administrative services management or related professional managerial experience, or governmental experience in relation to the fiscal or budget process. The director serves at the pleasure of the speakers.

(c) The executive director of the fiscal review committee and other personnel must be chosen without reference to party affiliation but solely on the basis of fitness to perform the duties of the office. Personnel must be employed on recommendation of the executive director with the approval of the speakers. The speaker of the senate and the speaker of the house of representatives must determine the compensation of the executive director and other personnel.

(d) The fiscal review committee is a joint office of the general assembly.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB0527

Travis
Signature of Sponsor

AMEND Senate Bill No. 1349

House Bill No. 527*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-1506, is amended by deleting subsection (a) and substituting instead the following:

(a) The bureau has the authority to create policy measures that ensure the enforcement and compliance of this part. The bureau shall require an ambulance provider that fails to pay an assessment due under this part to pay the bureau, in addition to the assessment, a penalty of fifty dollars (\$50.00) per calendar day for each day the assessment remains unpaid in full after the date due. The bureau may waive penalties for a delinquent provider if the provider has entered into a payment plan approved by the bureau. If the provider fails to comply with the terms of the payment plan, then the bureau may reinstate the waived penalties. Other enforcement measures determined by the bureau include, but are not limited to, recoupments, withholding of future payments, and loss of medicaid ID.

SECTION 2. Tennessee Code Annotated, Section 71-5-1508, is amended by deleting subsection (d) and substituting instead the following:

(d) The ground ambulance provider assessment established by this part terminates on June 30, 2020.

SECTION 3. Tennessee Code Annotated, Section 71-5-1504(c), is amended by deleting the language "calendar year 2017" and substituting instead the language "calendar year 2018".

SECTION 4. This act shall take effect on July 1, 2019, the public welfare requiring it.

Amendment No. 1 to HB1361

Howell
Signature of Sponsor

AMEND Senate Bill No. 376*

House Bill No. 1361

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-205, is amended by adding the following as a new subsection:

(o) Notwithstanding this section, chapter 4, part 4 of this title, or any other law or regulation to the contrary, the movement of any mobile home not exceeding fourteen feet (14') in width shall not be required to have more than one (1) escort vehicle to follow the movement, or any escort vehicle to precede the movement, on the interstate highway system or highways with four (4) or more lanes, and such movement shall not be required to have more than one (1) escort vehicle to precede the movement, or any escort vehicle to follow the movement, on two-lane highways.

SECTION 2. Tennessee Code Annotated, Section 55-4-407(a), is amended by adding the following language at the end of the subsection:

The transport of mobile homes exceeding sixteen feet (16') in height shall not be permitted.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB0184

**Lynn
Signature of Sponsor**

AMEND Senate Bill No. 195

House Bill No. 184*

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by adding the following new section:

(a) This section shall be known and may be cited as the "Proton Therapy Access Act."

(b) As used in this section:

(1) "Aggregate amount" means the total amount paid under the state group insurance program for the applicable radiation treatment delivery CPT codes to deliver a biological effective dose;

(2) "Biological effective dose" means the total prescribed radiation dose delivered in a course of radiation therapy treatments to induce tumor cell death;

(3) "CPT code" means the unique numerical designations established by the American Medical Association for various medical, surgical, and diagnostic services used in billing healthcare services;

(4) "Eligible patient" means a cancer patient who is approved for a standard radiation therapy protocol delivered with IMRT by the state group insurance program's third-party administrator and prescribed a hypofractionated proton therapy protocol for the treatment of the same cancer;

(5) "Hypofractionated radiation therapy protocol" means a cancer treatment protocol that involves the delivery of fewer, larger radiation therapy

Amendment No. 1 to HB0184

Lynn
Signature of Sponsor

AMEND Senate Bill No. 195

House Bill No. 184*

treatment doses than a standard radiation therapy protocol to deliver a biological effective dose;

(6) "Intensity modulated radiation therapy" or "IMRT" means a type of conformal radiation therapy that delivers x-ray radiation beams of different intensities from many angles for the treatment of tumors;

(7) "Proton therapy" means the advanced form of radiation therapy that utilizes protons as the radiation delivery method for the treatment of tumors;

(8) "Radiation therapy" means the delivery of a biological effective dose with proton therapy, IMRT, brachytherapy, stereotactic body radiation therapy, three-dimensional conformal radiation therapy, or other forms of therapy using radiation;

(9) "Registry" means an organized system that uses observational study methods to collect uniform clinical data to evaluate specified outcomes for a population defined by a particular disease and is compliant with the principles established by the U.S. department of health and human services through their *Agency for Healthcare Research and Quality's Registries for Evaluating Patient Outcomes: A User's Guide – Third Edition*;

(10) "Standard radiation therapy protocol" means a cancer treatment protocol that involves the delivery of radiation therapy treatment doses over an extended period of time to deliver a biological effective dose;

(11) "State group insurance program" means health insurance provided under title 8, chapter 27; and

(12) "Treatment dose" means the amount of radiation delivered in a single treatment or fraction of radiation therapy.

(c) The state group insurance program shall cover a physician prescribed hypofractionated proton therapy protocol to deliver a biological effective dose by paying the same aggregate amount as would be paid for the delivery of the same biological effective dose with a standard radiation therapy treatment protocol delivered with IMRT for the same indication if the following conditions are satisfied:

(1) Coverage is provided to an eligible patient who is being treated as part of a clinical trial or registry;

(2) The eligible patient is diagnosed with a cancer type or indication that can be treated with a hypofractionated proton therapy protocol;

(3) The radiation oncologist prescribing the hypofractionated proton therapy protocol is board certified or board eligible in the specialty of radiation oncology; and

(4) The hypofractionated proton therapy protocol is administered in a facility in this state.

(d) If coverage of the hypofractionated proton therapy protocol is required pursuant to subsection (c), then:

(1) The aggregate amount must be equal to the average cost actually paid by the state group insurance program for a standard IMRT treatment radiation therapy protocol required to deliver the prescribed biological effective dose for the particular indication. For purposes of this subdivision (d)(1), aggregate amounts must be established by reference to the amount paid for a course of IMRT treatment under a standard IMRT radiation therapy protocol for the indication under the state group insurance program; and

(2) Coverage is subject to annual deductible and co-insurance established for radiation therapy and other similar benefits within the policy or contract of insurance. The annual deductible and co-insurance for any radiation therapy delivery method permitted by this section must be no greater than the annual deductible and co-insurance established for all other similar benefits within a policy or contract of insurance.

(e) Notwithstanding any other provision of this section to the contrary, the aggregate amount:

(1) Reimbursed for the hypofractionated proton therapy protocol must not exceed the average aggregate amount paid by the state group insurance program for a course of IMRT treatment under a standard IMRT radiation therapy protocol to deliver the prescribed biological effective dose for the same indication;

(2) Chargeable to or payable by an eligible patient for a covered course of hypofractionated proton therapy by an in-network provider must not exceed the aggregate amount that would otherwise be chargeable to or payable by the eligible patient for a course of IMRT treatment under a standard IMRT radiation therapy protocol that is covered by the state group insurance program for the delivery of the same biological effective dose by an in-network provider; and

(3) Chargeable to or payable by an eligible patient for a covered course of hypofractionated proton therapy by an out-of-network provider must not exceed the aggregate amount that would otherwise be chargeable to or payable by the eligible patient for a course of treatment under a standard IMRT radiation therapy protocol that is covered by the state group insurance program for the delivery of the same biological dose by an out-of-network provider. However, the patient is not responsible for amounts above the allowable maximum charge.

(f) Notwithstanding § 56-7-1005, this section applies only to the state group insurance program.

(g) This section supplements the requirements of 42 U.S.C. § 300gg-8.

SECTION 2. This act shall take effect January 1, 2020, the public welfare requiring it.

Amendment No. 1 to HB1367

Terry
Signature of Sponsor

AMEND Senate Bill No. 1022*

House Bill No. 1367

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 140, Part 3, is amended by adding the following new section:

Notwithstanding any law to the contrary, a person who is licensed, registered, or certificated to provide emergency medical services in this state and who is required by statute or rule to keep proof of their license, registration, or certification on their person may satisfy that requirement by providing the proof by electronic means.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB0193

Curcio
Signature of Sponsor

AMEND Senate Bill No. 577

House Bill No. 193*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 32, is amended by adding the following new section:

40-32-105.

(a) Notwithstanding § 40-32-101, a person may file a petition for expunction of that person's public records involving offenses related to the person's status as a victim of human trafficking.

(b) In order to be eligible for expunction pursuant to this section, the petitioner must meet the following requirements:

(1) At the time of the filing of the petition for expunction at least one (1) year has elapsed since the completion of the sentence imposed for the petitioner's most recent criminal offense;

(2) The petitioner has fulfilled the following requirements of the sentence imposed by any court in which the individual was convicted of an offense:

(A) Completion of any term of imprisonment or probation;

(B) Meeting all conditions of supervised or unsupervised release;

and

(C) If so required by the conditions of any of the sentences imposed, remaining free from dependency on or abuse of alcohol or a controlled substance or other prohibited substance for a period of not less than one (1) year;

Amendment No. 1 to HB0193

**Curcio
Signature of Sponsor**

AMEND Senate Bill No. 577

House Bill No. 193*

(3) The petitioner has not been convicted of any criminal offense during the one (1) year prior to filing the petition and is not subject to any pending criminal charges;

(4) At least one (1) of the convictions to be expunged was for prostitution, as prohibited by § 39-13-513;

(5) The petitioner has not had public records previously expunged pursuant to this section;

(6) The convictions to be expunged:

(A) Did not have as an element the use, attempted use, or threatened use of physical force against the person of another;

(B) Did not involve the use or possession of a deadly weapon;
and

(C) Are individually eligible for expunction under § 40-32-101(g);
and

(7) Each of the convictions to be expunged resulted from the petitioner's status as a victim of human trafficking, under § 39-13-314. The petitioner may provide evidence of this requirement by testimony or affidavit. This subdivision (b)(6) does not require a conviction for an offense of which the petitioner was the victim. Any offense to be expunged must have occurred on or after the date on which the petitioner became a victim of human trafficking, as determined by the court.

(c) A person seeking expunction pursuant to this section must petition the court in which the person was most recently convicted of an offense. Upon filing of the petition, the clerk must serve the petition on the district attorneys general for each jurisdiction in which the petitioner has been convicted of an offense that is to be expunged. Not later than sixty (60) days after service of the petition, the district attorneys general may submit recommendations to the court and provide a copy of such recommendations to the petitioner.

(d) Both the petitioner and the district attorneys general may file evidence with the court relating to the petition. If necessary, the court may schedule a hearing for the purpose of taking testimony from the petitioner and any other interested persons. In making a decision on the petition, the court shall consider all evidence and weigh the interests of the petitioner against the best interests of justice and public safety.

(e) If the court determines that the petitioner meets the requirements of subsection (b) and that the expunction is in the best interests of justice and public safety, the court shall order the person's records involving convictions resulting from the person's status as a victim of human trafficking expunged.

(f) If the court denies the petition, the petitioner may not file another such petition until at least two (2) years from the date of the denial.

(g) The district attorneys general conference shall create, by September 1, 2019, a simple form to enable a lay person to petition the court for expunction under this section.

(h) The petition and proposed order must be prepared by the office of the district attorney general and given to the petitioner to be filed with the clerk of the court. A petitioner is entitled to a copy of the order of expunction and such copy is sufficient proof that the person named in the order is no longer under any disability, disqualification, or other adverse consequence resulting from the expunged convictions.

(i)

(1) Notwithstanding any other law to the contrary, an order of expunction granted pursuant to this section entitles the petitioner to have all public records of the expunged convictions destroyed in the manner set forth in this section.

(2) An expunction granted pursuant to this section has the legal effect of restoring the petitioner, in the contemplation of the law, to the same status occupied before the arrest, indictment, information, trial, and conviction for the expunged offenses. Once the expunction order is granted, no direct or indirect collateral consequences that are generally or specifically attendant to the petitioner's conviction by any law shall be imposed or continued.

(3) A petitioner with respect to whom an order has been granted under this section is not guilty of perjury or otherwise giving a false statement by reason of the person's failure to recite or acknowledge the arrest, indictment, information, trial, or conviction in response to any inquiry made of the petitioner for any purpose.

(4) As used in this section, expunction means, in contemplation of law, the conviction for the expunged offenses never occurred and the person shall not suffer any adverse effects or direct disabilities by virtue of the criminal offenses that were expunged.

(5) Notwithstanding § 39-17-1307(b)(1)(B) and (c), a petitioner whose petition is granted pursuant to this section, and who is otherwise eligible under state or federal law to possess a firearm, is eligible to purchase a firearm pursuant to § 39-17-1316 and apply for and be granted a handgun carry permit pursuant to § 39-17-1351.

(j) The clerk of the court maintaining records expunged pursuant to this section shall keep such records confidential. The records are not public and may only be used

to enhance a sentence if the petitioner is subsequently charged and convicted of another crime. This confidential record is only accessible to the district attorney general, the defendant, the defendant's attorney, and the circuit or criminal court judge.

(k) Upon filing the petition, the petitioner shall pay the clerk of court a fee, as described in § 40-32-101(g)(9).

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

Amendment No. 1 to HB1089

Crawford
Signature of Sponsor

AMEND Senate Bill No. 557*

House Bill No. 1089

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 6-51-105(a), is amended by deleting the language "who reside in the territory proposed for annexation" and substituting instead the language "who reside in or own property in the territory proposed for annexation; provided, that not more than two (2) persons are entitled to vote based upon ownership of an individual tract of property, regardless of the number of owners of such property."

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1064

Hill T
Signature of Sponsor

AMEND Senate Bill No. 1336

House Bill No. 1064*

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 62-6-112, is amended by adding the following new subsection:

(g)

(1) Licensed contractors in the category set forth under subdivision (a)(9), licensed on or after January 1, 2009, must complete a minimum of eight (8) hours of continuing education biennially by a board-approved provider. Proof of compliance with this requirement must be filed with the board biennially in the format required by the board, as a condition for the maintenance or renewal of the license.

(2) Active membership in a professional trade association, approved by the board, qualifies as four (4) hours of continuing education annually. Proof of membership must be filed with the board biennially.

(3) The board shall promulgate rules to effectuate the provisions of this act. The rules shall include, at a minimum, provisions allowing online and in-person training. All such rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. For administrative and rulemaking purposes, this act shall take effect upon becoming a law. For all other purposes, this act shall take effect January 1, 2020, the public welfare requiring it.

Amendment No. 1 to HB0930

Lynn
Signature of Sponsor

AMEND Senate Bill No. 786

House Bill No. 930*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-410(a)(3)(C), is amended by deleting the language "July 1, 2019" and substituting instead the language "July 1, 2022".

SECTION 2. Tennessee Code Annotated, Section 67-6-410(h)(5), is amended by deleting the language "July 1, 2019" and substituting instead the language "July 1, 2022".

SECTION 3. Tennessee Code Annotated, Section 67-6-410(a)(3)(B), is amended by adding the following as a new subdivision:

(iii) For purposes of this section, sales of candy, food, and nonalcoholic beverages, including bottled soft drinks as defined by § 67-4-402(a)(1), may be reported in the aggregate for each retailer location, in lieu of reporting specific SKU (Stock Keeping Units) identification number totals for each product.

SECTION 4. Tennessee Code Annotated, Section 67-6-410(e), is amended by deleting the language "one thousand dollars (\$1,000)" and substituting instead the language "two hundred fifty dollars (\$250)" and is further amended by deleting the language "ten thousand dollars (\$10,000)" and substituting instead the language "two thousand five hundred dollars (\$2,500)".

SECTION 5. Tennessee Code Annotated, Section 67-6-410, is amended by adding the following as a new subsection:

(l) Any report provided to the department pursuant to this section shall be tax information of the wholesaler and shall be confidential pursuant to § 67-1-1702; provided, however, that the department is authorized to disclose, to an individual

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Amendment No. 1 to HB0930

**Lynn
Signature of Sponsor**

AMEND Senate Bill No. 786

House Bill No. 930*

customer of the wholesaler, records of the customer's purchases contained within the report.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

House Finance, Ways, and Means Committee 1

Amendment No. 1 to HB0942

**Lynn
Signature of Sponsor**

AMEND Senate Bill No. 798

House Bill No. 942*

by adding the following new section immediately preceding the last section and renumbering that section accordingly:

SECTION 3. Tennessee Code Annotated, Section 39-17-417, is amended by deleting the language "listed in subdivisions (i)(1)-(11)" wherever it appears and substituting instead the language "listed in subdivisions (i)(1)-(12)".

Amendment No. 1 to HB0353

Hill T
Signature of Sponsor

AMEND Senate Bill No. 571

House Bill No. 353*

by deleting all language after the caption and substituting instead the following:

WHEREAS, it is the public policy of this state to enable persons to pursue entrepreneurial and career opportunities of their choice; and

WHEREAS, many young persons in this state have left school with no more than a high school diploma, all but guaranteeing themselves a future of low-wage work and becoming a drain on the state's economy; and

WHEREAS, with the appropriate guidance and training, young adults who seek to increase their skills through career and technical training can develop a greater sense of self-worth and contribute significantly to this state; and

WHEREAS, increasing education initiatives and opportunities for prisoners is critical to lowering recidivism rates, thus saving taxpayers millions of dollars in the process; and

WHEREAS, the creation of a mechanism for career and technical training is a critical step in providing former inmates the opportunity to make sustainable incomes after their release and creating a pool of skilled workers that is beneficial to our state's economy; and

WHEREAS, it is imperative that this state takes the initiative to create opportunities for persons seeking to ensure a better life for themselves and their families; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 11, Part 1, is amended by adding the following as a new section:

(a) Persons who receive certified comprehensive career and technical training in high school and post high school pursuant to § 49-11-104 are eligible to receive

Amendment No. 1 to HB0353

Hill T
Signature of Sponsor

AMEND Senate Bill No. 571

House Bill No. 353*

equivalent credit towards the receipt of professional and occupational licenses relating to the training received. This section applies to all professions and occupations regulated under title 62, except for certified public accountants, regulated under title 62, chapter 1, and architects and engineers, regulated under title 62, chapter 2.

(b)

(1) The high school and post high school training received under this chapter must be consistent with the requirements for licensure by licensing authorities in order for persons to be eligible for equivalent credit under subsection (a).

(2) Any person aggrieved by the decision of a licensing authority concerning eligibility for equivalent credit under this section may appeal to the commissioner of commerce and insurance or the commissioner's designee for a determination of whether the training meets the requirements for licensure. An appeal under this subdivision (b)(2) must be conducted in the same manner as is provided in § 4-5-322, for a contested case hearing under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(c) The commissioner of commerce and insurance, in collaboration with the state board of education and the various departments charged with supervision of licensing authorities shall promulgate rules to effectuate the purposes of this act. All rules must be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) Persons who receive certified occupational, career, or technical training in schools or correctional institutions pursuant to this chapter are eligible to receive equivalent credit towards the receipt of an occupational license relating to the training received.

(b)

(1) The occupational, career, or technical training received pursuant to title 4, chapter 6 must be consistent with the requirements for licensure by licensing authorities in order for persons to be eligible for equivalent credit under subsection (a).

(2) Any person aggrieved by the decision of a licensing authority concerning eligibility for equivalent credit under this section may appeal to the commissioner of commerce and insurance or the commissioner's designee for a determination of whether the training meets the requirements for licensure. An appeal under this subdivision (b)(2) must be conducted in the same manner as is provided in § 4-5-322, for a contested case hearing under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(c) The commissioner of commerce and insurance, in collaboration with the commissioner of correction and the various departments charged with supervision of licensing authorities shall promulgate rules to effectuate the purposes of this act. All rules must be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. For the purpose of promulgating rules, this act shall take effect July 1, 2019, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2020, the public welfare requiring it.

Amendment No. 1 to HB0941

Curcio
Signature of Sponsor

AMEND Senate Bill No. 797

House Bill No. 941*

by inserting the following new sections immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 40-32-101(g)(12)(B), is amended by deleting the language "and the petitioner pays the fee required by this subsection (g) or subsection (h)".

SECTION _____. Tennessee Code Annotated, Section 40-32-101(h), is amended by deleting the language "(9)".

SECTION _____. Tennessee Code Annotated, Section 40-32-101(i), is amended by deleting the language ", in addition to any other fees required by this section or § 40-35-313,".

SECTION _____. Tennessee Code Annotated, Section 40-32-101(k)(3), is amended by deleting the subdivision.

SECTION _____. Tennessee Code Annotated, Section 40-32-101(k)(4), is amended by deleting the language "(9)".

Amendment No. 1 to HB0949

**White
Signature of Sponsor**

AMEND Senate Bill No. 805

House Bill No. 949*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Governor's Investment in Vocational Education (GIVE) Act."

SECTION 2. Tennessee Code Annotated, Section 49-4-930, is amended by deleting the section and substituting instead the following:

(a) As used in this section:

(1) "Certificate" or "diploma" has the same meaning as defined in § 49-4-902, except that "certificate" or "diploma" also means a credential, other than a degree, the receipt of which indicates satisfactory completion of training in a program of study offered by a community college operated by the board of regents of the state university and community college system; and

(2) "Course" includes a course taken at an eligible postsecondary institution, or the equivalent at a Tennessee college of applied technology.

(b) A high school student who is also enrolled in an eligible postsecondary institution is eligible for a dual enrollment grant, if the student:

(1) Is not ineligible for the grant under § 49-4-904;

(2) Is a Tennessee resident and has been a Tennessee resident, as defined by regulations promulgated by the board of regents under § 49-8-104, for the one (1) year immediately preceding the date of application for a grant or for the renewal of a grant;

(3) Is admitted to an eligible postsecondary institution as a dual enrollment student; and

Amendment No. 1 to HB0949

White
Signature of Sponsor

AMEND Senate Bill No. 805

House Bill No. 949*

(4) Applies for the dual enrollment grant each academic year in which the student takes a dual enrollment course.

(c) A student receiving a dual enrollment grant may enroll in one (1) course per semester at an eligible postsecondary institution. To be eligible for a dual enrollment grant for a semester beyond the first semester of receipt in an academic year, the student must continue to meet all eligibility requirements for the grant and must achieve a cumulative grade point average of 2.75 for all postsecondary courses attempted under a dual enrollment grant.

(d) A student receiving a dual enrollment grant may enroll in one (1) additional course per semester at an eligible postsecondary institution as a dual enrollment student, if the student:

(1) Is a junior or senior in high school; and

(2)

(A) Has qualified academically for a Tennessee HOPE scholarship by attaining the required composite ACT score or the concordant equivalent score on the SAT; or

(B) Has achieved an overall weighted high school grade point average of at least 3.0 for all high school work completed prior to the semester of enrollment as a dual enrollment student, if the student is enrolled in an eligible high school.

(e) A course attempted as a dual enrollment student does not count toward the limitation on receiving a Tennessee HOPE scholarship under § 49-4-913. Financial

assistance received for all dual enrollment courses attempted after the fourth course reduces the amount of any subsequent award of the Tennessee HOPE scholarship on a dollar-for-dollar basis.

(f) If a dual enrollment student enrolls in an eligible public postsecondary institution after graduation from high school, then the eligible public postsecondary institution shall not deny credit toward an associate or baccalaureate degree for any college course taken as a dual enrollment student if the student successfully completed the course. If the dual enrollment course was not taken at the institution in which the student enrolls after graduation from high school, then the course qualifies for transfer credit.

(g) It is the intent of the general assembly that funding for Tennessee HOPE scholarships, Tennessee HOPE access grants, and Wilder-Naifeh technical skills grants take priority over funding for dual enrollment grants. Subject to the amounts appropriated by the general assembly and any law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, TSAC's board of directors shall determine the award for a credit hour taken under a dual enrollment grant. TSAC's board of directors shall not award an amount for a credit hour taken under a dual enrollment grant that exceeds the cost per credit hour of courses taken at community colleges in the state university and community college system.

(h) Notwithstanding subsection (g), it is the intent of the general assembly that the award for the first four (4) dual enrollment courses attempted by a student enrolled in a certificate or diploma program identified by TSAC's board of directors pursuant to this subsection (h) only provide for maintenance fees at the institution attended. The institution shall not increase the institution's maintenance fees more than the annual increase to maintenance fees established for the community colleges and Tennessee colleges of applied technology by the state university and community college system.

The award described in this subsection (h) only applies to programs annually identified by TSAC's board of directors. TSAC's board of directors may consider the following factors, in addition to other relevant information, to identify programs for which a student is eligible to receive the award described in this subsection (h):

- (1) The annual workforce and credential report described in § 49-7-112(b);
- (2) The annual workforce needs report described in § 49-7-1209; and
- (3) The annual job placement report described in § 49-7-1210.

(i) Courses for which a dual enrollment grant is received may be taken at any time during the junior or senior year in high school.

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.

Amendment No. 1 to HJR0122

Keisling
Signature of Sponsor

AMEND

House Joint Resolution No. 122*

by deleting the first resolving clause and substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED ELEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that Article III, Section 12 of the Constitution of Tennessee be amended by adding the following language immediately following the current language in the Section:

Whenever the Governor transmits to the Secretary of State, the Speaker of the Senate, and the Speaker of the House of Representatives, a written declaration that the Governor is unable to discharge the powers and duties of the office, the powers and duties of the office of Governor shall be temporarily discharged by the Speaker of the Senate as Acting Governor, or if that office is unoccupied, then by the Speaker of the House of Representatives as Acting Governor, until the Governor transmits to the same officials a written declaration that the Governor is able to discharge the powers and duties of the office.

Whenever a majority of five commissioners of administrative departments of the Executive Department designated by general law transmits to the Secretary of State, the Speaker of the Senate, and the Speaker of the House of Representatives their written declaration that the Governor is unable to discharge the powers and duties of the office, the Speaker of the Senate shall immediately assume the powers and duties of the office as Acting Governor, or if that office is unoccupied, then the Speaker of the House of

Amendment No. 1 to HJR0122

Keisling
Signature of Sponsor

AMEND

House Joint Resolution No. 122*

Representatives shall immediately assume the powers and duties of the office as Acting Governor, until the Governor transmits to the same officials a written declaration that the Governor is able to discharge the powers and duties of the office.

Whenever a Speaker is temporarily discharging the powers and duties of the office of Governor as Acting Governor, such Speaker shall not be required to resign the Speaker's position as the Speaker or to resign as a member of the general assembly and shall retain the Speaker's salary and not receive the Governors salary, but such Speaker shall not preside as Speaker or vote as a member of the general assembly during the time the Speaker is Acting Governor.

Amendment No. 1 to HB1498

Terry
Signature of Sponsor

AMEND Senate Bill No. 1340

House Bill No. 1498*

by inserting the following as a new SECTION 2 and redesignating any remaining sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 41-21-223, is amended by deleting the section and substituting the following:

If the commissioner of correction determines from an examination that a person who is in the custody of the department of correction has a mental illness or serious emotional disturbance and because of the mental illness or serious emotional disturbance poses a substantial likelihood of serious harm, as defined in § 33-6-501, then the commissioner shall, no less than thirty (30) days before the person's scheduled release from a correctional facility, file a complaint with the clerk of the court that has jurisdiction under § 33-3-603 for the judicial commitment of the person to a hospital or treatment resource pursuant to title 33, chapter 6, part 5. The clerk shall serve to the person a copy of the complaint pursuant to § 33-3-605, and shall send a copy of the complaint to the district attorney general with jurisdiction in that district. A complaint filed under this section stays the release of the person pending completion of a hearing pursuant to title 33, chapter 3, part 6.

House Transportation Committee 1

Amendment No. 1 to HB0076

Howell
Signature of Sponsor

AMEND Senate Bill No. 1489

House Bill No. 76*

by adding the following at the end of the amendatory language in subsection (e) of SECTION 1:

Nothing in this subsection (e) authorizes the removal or other redesign of any distinctive identification legend or letters required to be included on memorial or military plates.